

301 KAR 2:300. Black bear seasons and requirements.

RELATES TO: KRS 150.010, 150.092, 150.170, 150.175, 150.990

STATUTORY AUTHORITY: KRS 150.025(1), 150.390(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.025(1) authorizes the department to promulgate administrative regulations to establish open seasons for the taking of wildlife, to regulate bag limits and methods of take, and to make these requirements apply to a limited area. KRS 150.390(1) prohibits the taking of bears in any manner contrary to any provisions of KRS Chapter 150 or Title 301 KAR. This administrative regulation establishes bear hunting and chasing seasons; bear hunting areas; legal methods of take; and permitting, checking, and recording requirements.

Section 1. Definitions. (1) "Adult" means an individual who is at least eighteen (18) years of age.

(2) "Archery equipment" means a long bow, recurve bow, or compound bow incapable of holding an arrow at full or partial draw without aid from the archer.

(3) "Arrow" means the projectile fired from a bow or crossbow.

(4) "Baited area" means an area where feed, grains, or other substances capable of luring black bears have been placed.

(5) "Bear" means the species *Ursus americanus*.

(6) "Bear chase permit" means a permit, which in conjunction with appropriate licenses, seasons, and methods, allows the holder to use dogs to chase a bear.

(7) "Bear permit" means a permit, which in conjunction with appropriate licenses, seasons, and methods, allows the holder to harvest one (1) black bear of either sex.

(8) "Bear zone 1" means Bell, Harlan, and Letcher counties, and private land in McCreary County.

(9) "Bear zone 2" means Breathitt, Clay, Clinton, Floyd, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Leslie, Magoffin, Martin, Owsley, Perry, Pike, Pulaski, Rockcastle, Russell, Wayne, and Whitley counties.

(10) "Bear zone 3" means Adair, Bath, Boyd, Carter, Casey, Clark, Cumberland, Elliot, Estill, Fleming, Garrard, Greenup, Lee, Lewis, Lincoln, Madison, Menifee, Montgomery, Morgan, Powell, Rowan, and Wolfe counties.

(11) "Chase-only season" means a designated season when a person may use dogs to chase a bear, without killing or intentionally injuring a bear.

(12) "Crossbow" means a bow designed or fitted with a device to hold an arrow at full or partial draw without aid from the archer.

(13) "Firearm" means a breech or muzzle-loading rifle, shotgun, or handgun.

(14) "Youth bear chase permit" means a permit, which in conjunction with appropriate licenses, seasons, and methods, allows a youth to use dogs to chase a bear.

(15) "License year" means the period from March 1 through the last day of February.

(16) "Modern gun" means a rifle, handgun, or shotgun loaded from the rear of the barrel.

(17) "Muzzleloader" means a rifle, shotgun, or handgun loaded from the discharging end of the barrel or discharging end of the receiver.

(18) "Youth" means a person under the age of sixteen (16) by the day of the hunt.

Section 2. Feeding Black Bears. A person shall not engage in any direct or indirect feeding of black bears.

Section 3. Bear Chase Requirements. (1) Unless exempted by KRS 150.170, a person,

while using dogs to chase a bear, shall carry proof of purchase of a valid Kentucky hunting license and a valid:

- (a) Bear chase permit; or
- (b) Youth bear chase permit.

(2) A bear chase permit or youth bear chase permit shall only be purchased by a resident of Kentucky.

(3) A bear chase permit shall be purchased on the department's Web site at fw.ky.gov from July 1 through December 31.

(4) A person shall not:

- (a) Kill or intentionally injure a bear during a chase-only season;
- (b) Chase a bear except during daylight hours while a chase season is open;
- (c) Chase a bear from a baited area:
 - 1. While bait is present; or
 - 2. For thirty (30) days after the bait has been removed; or
- (d) Disturb a bear in a den.

(5) The department shall supply a Bear Chase Survey to each person purchasing a bear chase permit.

(6) A person who purchases a bear chase permit shall submit to the department a completed Bear Chase Survey by the last day of January following each bear season.

(7) A person who fails to submit a Bear Chase Survey shall be ineligible to purchase a bear chase permit for the following year's chase seasons.

(8) A person shall only use a dog to chase a bear on private land with permission of the landowner in bear zones 1, 2, and 3, except that it shall be prohibited to chase bears with dogs in McCreary County.

Section 4. Chasing Bears with Dogs. A person shall not use a dog to chase a bear except during the seasons established in subsections (1) and (2) of this section.

(1) The chase-only season shall be from:

- (a) August 1 through August 31; and
- (b) September 9 through September 30; and

(2) The bear quota hunt with dogs season shall be pursuant to Section 8(1) of this administrative regulation.

Section 5. Bear Permit Requirements. Unless exempted by KRS 150.170, a person hunting a bear shall possess proof of purchase of a valid Kentucky hunting license and the appropriate valid bear permit or permits while hunting during the seasons established in Section 8(1) of this administrative regulation.

Section 6. Hunter Restrictions. (1) A person shall not:

- (a) Harvest a bear except during daylight hours;
- (b) Use a dog during the modern gun, archery - crossbow, or muzzleloader season for bears, except leashed tracking dogs may be used to recover a wounded or dead bear;
- (c) Hunt bear on a baited area:
 - 1. While bait is present; or
 - 2. For thirty (30) days after the bait has been removed;
- (d) Harvest:
 - 1. A female bear that has a cub; or
 - 2. A bear that weighs less than seventy-five (75) pounds;
- (e) Harvest a bear that is swimming;

(f) Harvest a bear if the person is in a vehicle, boat, or on horseback, except that a hunter in possession of a disabled hunting exemption permit issued by the department may use a stationary vehicle as a hunting platform;

(g) Harvest a bear in a den; or

(h) Disturb a bear in a den for the purpose of taking the bear if the bear exits the den.

(2) An adult shall accompany and maintain control of a youth who is hunting bear with a firearm.

Section 7. Weapon Restrictions. (1) A person shall only use the weapons and ammunition established in paragraphs (a) through (e) of this subsection to take a bear:

(a) A crossbow or archery equipment loaded with a broadhead of seven-eighths (7/8) inch or wider upon expansion;

(b) A firearm:

1. With an action that fires a single round of ammunition upon each manipulation of the trigger;

2. Of .270 caliber or larger; and

3. Loaded with centerfire, single projectile ammunition designed to expand upon impact;

(c) A muzzleloader of .50 caliber or larger;

(d) A shotgun of twenty (20) gauge or larger loaded with a shell containing one (1) projectile; or

(e) A handgun loaded with:

1. Centerfire cartridges;

2. Bullets of .270 caliber or larger designed to expand upon impact; and

3. Cartridges with a case length of 1.285 inches or larger.

(2) A crossbow shall contain a working safety device.

(3) A bear hunter shall not use a magazine capable of holding more than ten (10) rounds.

Section 8. Bear Season Dates and Bag Limits. (1) A legal bear hunter shall only kill a bear in the bear zones during the seasons established in paragraphs (a) through (d) of this subsection:

(a) The archery – crossbow season for bears, which shall be for seven (7) consecutive days beginning on the fourth Saturday in October in bear zones 1 and 2;

(b) The modern gun season for bears, which shall be for seven (7) consecutive days beginning on the third Saturday in December in bear zones 1 and 2;

(c) The bear quota hunt with dogs season, which shall be for fourteen (14) consecutive days beginning on the third Saturday in October in bear zones 1, 2, and 3.

(d) The muzzleloader season for bears, which shall be for nine (9) consecutive days beginning on the second Saturday in December in bear zone 3.

(2) A person shall not harvest more than one (1) bear in a license year.

Section 9. Bear Season Closure. (1) The archery - crossbow season for bears in bear zone 1 shall close after daylight hours on the day the following quota has been reached:

(a) Five (5) bears; or

(b) Two (2) female bears.

(2) The archery – crossbow season for bears in bear zone 2 shall close after daylight hours on the day the following quota has been reached:

(a) Ten (10) bears; or

(b) Four (4) female bears.

(3) The modern gun season for bears in bear zone 1 shall close after daylight hours on the

day the following quota has been reached:

- (a) Five (5) bears; or
- (b) Two (2) female bears.

(4) The modern gun season for bears in bear zone 2 shall close after daylight hours on the day the following quota has been reached:

- (a) Fourteen (14) bears; or
- (b) Four (4) female bears.

(5) The bear quota hunt with dogs season in bear zone 1 shall close after daylight hours on the day the following quota has been reached:

- (a) Three (3) bears; or
- (b) Two (2) female bears.

(6) The bear quota hunt with dogs season for bears in bear zones 2 and 3 shall close after daylight hours on the day the following quota has been reached:

- (a) Eight (8) bears; or
- (b) Three (3) female bears.

(7) The muzzleloader season for bears in bear zone 3 shall close after daylight hours on the day the following quota has been reached:

- (a) Five (5) bears; or
- (b) Three (3) female bears.

(8) A bear hunter shall call 800-858-1549 after 9 p.m. each day of any open bear season to determine if the annual quota has been reached.

Section 10. Bear Quota Hunt with Dogs Requirements. (1) A person shall only harvest a bear with the use of unleashed dogs.

(2) The bear quota hunt with dogs season shall also be open as a chase-only season for any person who possesses a valid bear chase permit, even if the quota has been met.

Section 11. Hunter Orange Clothing Requirements. (1) During any modern gun or muzzle-loader season for bears, a person hunting any species, and any person accompanying a hunter, shall display solid, unbroken hunter orange visible from all sides on the head, back, and chest, except these requirements shall not apply to a person hunting:

- (a) Waterfowl; or
- (b) Furbearers at night during a legal furbearer season.

(2) The hunter orange portions of a garment worn to fulfill the requirements of this section:

- (a) May display a small section of another color; and
- (b) Shall not have mesh weave openings exceeding one-fourth (1/4) inch by any measurement.

Section 12. Bear Reserves. (1) The areas within bear zone 1 as established in paragraphs (a) through (d) of this subsection shall be closed to bear hunting:

- (a) Cumberland Gap National Historical Park;
- (b) Hensley-Pine Mountain Wildlife Management Area;
- (c) Big South Fork National River and Recreation Area; and

(d) The area surrounding Hensley-Pine Mountain Wildlife Management Area: starting at the intersection of Sand Hill Bottom Road and North US Hwy 119 in Cumberland, the boundary proceeds northeast along North US Hwy 119 to the intersection of US Hwy 119 and Kentucky Hwy 2035. The boundary then proceeds west along Kentucky Hwy 2035 to the intersection of Kentucky Hwy 2035 and Kentucky Hwy 931. The boundary continues southwest along Kentucky Hwy 931 to the intersection of Kentucky Hwy 931 and Kentucky Hwy 160, then proceeds

southwest along Kentucky Hwy 160 to the intersection of Kentucky Hwy 160 and Kentucky Hwy 463 in Gordon. The boundary then proceeds south and east along Kentucky Hwy 160 to the intersection of Kentucky Hwy 160 and Sand Hill Bottom Road in Cumberland, then south along Sand Hill Bottom Road to the intersection with North US Hwy 119, completing the boundary.

(2) Kentucky resident landowners, their spouses, and dependent children may hunt bears on their own property within the closed area established in subsection (1)(d) of this section.

Section 13. Harvest Recording and Check-in Requirements. (1) Immediately after harvesting a bear, and before moving the carcass, a person shall record on a hunter's log the:

- (a) Species taken;
- (b) Date taken;
- (c) County where taken; and
- (d) Sex of the bear.

(2) A person who has harvested a bear shall:

(a) Retain a completed hunter's log;

(b) Telecheck the bear by 8 p.m. Eastern Standard Time the day the bear was harvested by:

1. Calling 800-245-4263 and completing the telecheck process or checking the bear on the department's Web site at fw.ky.gov; and

2. Recording the confirmation number on the hunter's log;

(c) Arrange for department personnel to inspect the bear by:

1. Calling the department at 800-858-1549 within twenty-four (24) hours of harvest; and

2. Presenting to department personnel the bear carcass or an intact hide that contains the skull and proof of sex; and

(d) Attach to the carcass a department issued tag after having the bear inspected by department personnel.

Section 14. Incorporation by Reference. The "20__ Bear Chase Survey", 2014 edition is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m., Eastern Time. (29 Ky.R. 1433; 1766; eff. 1-16-2003; 35 Ky.R. 349; 1745; eff. 3-6-2009; 37 Ky.R. 2683; 38 Ky.R. 16; 8-5-2011; 38 Ky.R. 1899; 39 Ky.R. 53; eff. 8-2-2012; 40 Ky.R. 412; 800; eff. 10-3-2013; 40 Ky.R. 2615; 41 Ky.R. 35; eff. 7-3-2014; 2318; eff. 9-4-2015; 43 Ky.R. 2034; 44 Ky.R. 56; eff. 7-6-2017.)